Los Angeles County Sheriff's Department

Officer Involved Shooting

Report Date: 03-01-11	Bureau/Station/Facility: Palmdale Sheriff's Station	Admin. Invest.? ☐	Hit? ☒

Incident Information

URN: 011-03070-2614-011	Date: 03-01-11 Time: 1529 hours
City or Station: Palmdale	Nature of Incident: Deputies were in vehicle pursuit of a baby kidnapping suspect (Amber Alert). During the pursuit, deputies saw the suspect stabbing his 5 month old baby, who was seated in the front passenger seat. The suspect vehicle crashed at 39000 Clock Tower Plaza, when he fled on foot eventually breaking into a residential home through a window at [redacted] E. Ave P-14. Deputies shot at the suspect in an attempt to prevent him from entering the occupied home (barricade/hostage). Deputies eventually shot and killed the suspect who had armed himself with a knife inside the home and came toward them. Deputies at the crash site recovered the baby, who was subsequently pronounced dead a local hospital.
Location: [redacted] E. Ave P-14, Palmdale (Shooting)	

Location Type (*circle one or more*):	Lighting (*circle only one*):	Incident Type (*circle one or more*):	Initiated by (*circle only one*):
Backyard	Darkness	Accidental	Arrest Warrant
Beach	**Daylight** (circled)	**Armed Person** (circled)	Call
Business	Other	Fleeing Suspect	**Observation** (circled)
Freeway	Street Lights	**Foot Pursuit** (circled)	One Person Unit
Industrial	Weather (*circle only one*):	Gun Take Away	Other
Park	**Clear** (circled)	Moving Vehicle	Search Warrant
Parking Lot	Cloudy	Sniper/Ambush	Two Person Unit
Residence (circled)	Fog	Startle	Prior Activity (*circle only one*):
Rural	Rain	Struggle Involved	Detective
School		Traffic Stop	Inmate Transport
Street		Unarmed Person	**Other** (circled)
Other:	Distance: 10-12 feet	Unintentional	Routine Patrol
		Vehicle Pursuit (circled)	
		Warrant Service	
		Warning Shot	Aero Unit? ☐ Canine Unit? ☐
		Other:	

Total # of Shots Fired by Deputy	Total # of Shots Fired by Suspect
15	0

Employee Witnesses

Employee #	Last Name	First Name	M.I.	ShiftTime (*circle only one*):	ShiftType (*circle only one*):
[redacted]	Gallagher	John	J.	EM PM **Day** (circled)	**Regular** (circled) Overtime Off Duty
[redacted]	Reddy	Michael	G.	EM PM **Day** (circled)	**Regular** (circled) Overtime Off Duty
[redacted]	[redacted]	[redacted]	[redacted]	EM PM **Day** (circled)	**Regular** (circled) Overtime Off Duty

Non-Employee Witnesses

Last Name	First Name	M.I.			
[redacted]	[redacted]	-			
Street Address	**City**	**Zip Code**	**Work Ph**	**Home Ph**	
[redacted]	-	-	-	-	
Last Name	First Name	M.I.			
Street Address	City	Zip Code	Work Ph	Home Ph	
Last Name	First Name	M.I.			
Street Address	City	Zip Code	Work Ph	Home Ph	

Supervisors

Employee #	Last Name	First Name	M.I	(*circle one or more*):
[redacted]	Dollens	Allen		**On Duty** (circled); Present during shooting; Witness to shooting; Involved in shooting
				On Duty; Present during shooting; Witness to shooting; Involved in shooting

Watch Sergeant

Employee #	Last Name	First Name	M.I.
[redacted]	Nagel	Andrew	S.

Watch Commander

Employee #	Last Name	First Name	M.I.
[redacted]	Clay	Paul	A.

PSTD Use Only
SH # 2283791

Officer Involved Shooting

URN: 011-03070-2614-011

Rollout Information

Arrival Date	Arrival Time	Date Submitted	Date of Recommendation
03/01/2011	1600 hours	06/11/2012	

Employee #	Last Name	First Name	M.I
[redacted]	Vaughan	Stephen	D.
[redacted]	Quichocho	Frank	F.

Shooting / Force Information

Method

(AW) Arwen
(BC) Baton:(Control)
(BI) Baton:(Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds:(Control Techniques)
(TT) Control Holds:(Team Takedown)
(TD) Control Holds:(Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(CN) Restraint Device (Capture Net)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device:Hobble (Legs Only)
(TP) Restraint Device:Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(SG) 37mm Stinger
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative

Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

Body Part Injured

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hand
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(SH) Shoulder
(WR) Wrist

Brand

(AK) AK-47
(BN) Benelli
(BR) Beretta
(BW) Browning
(CH) Charter Arms
(CO) Colt
(DA) Davis Industries
(GL) Glock
(HA) Harrington & Richardson
(HI) Hi Standard
(HK) H & K
(IT) Ithica
(IV) Iver Johnson
(JE) Jennings
(LO) Lorcin
(LU) Luger
(MA) Marlin
(MO) Mossberg
(NC) NCI aka SKS
(NA) North American
(NO) Norinco
(RA) Raven
(RM) Remington
(RG) RG
(RI) RGI
(RO) Rossi
(SW) Smith & Wesson
(SR) Sturn Ruger
(ST) Sterling
(TA) Taurus
(WE) Weatherby
(WN) Winchester
(US) US Government
(YY) Handmade (Inmate)
(XX) Homemade (Non-Inmate)
(ZZ) Other Brand

Caliber

(9) 9 mm
(10) 10 mm
(12) 12 guage
(20) 20 guage
(21) .22-250
(22) .22 caliber
(23) .223 caliber
(24) .243 caliber
(25) .25 caliber
(30) .308 caliber
(35) .357 caliber
(36) 30-60 caliber
(38) .38 caliber
(40) .40 caliber
(41) .410 guage
(44) .44 caliber
(45) .45 caliber
(50) 50 mm
(SL) Slug
(WW) Other caliber

FORCE APPLIED (one code per block)

Used By (E# or S#)	Used Against (E# or S#)	Method (Code)	Brand (Code)	Caliber (Code)	Authorized Weapon? (Y/N)	Authorized Ammunition? (Y/N)	Type of Injury (Code)	Body Part (Code)
S	E#1	UC	-	-	-	-	NN	-
"	E#2	"	-	-	-	-	"	-
"	E#3	OE	-	-	-	-	"	-
E#1	S	FH	BR	9	Y	Y	GS	HE
"	"	"	"	"	"	"	"	CH
"	"	"	"	"	"	"	"	LE
"	"	"	"	"	"	"	"	HI
"	"	"	"	"	"	"	"	BK
E#2	S	FH	BR	9	Y	Y	GS	HE
"	"	"	"	"	"	"	"	CH
"	"	"	"	"	"	"	"	LE
"	"	"	"	"	"	"	"	HI
"	"	"	"	"	"	"	"	BK
E#3	S	FH	BR	9	Y	Y	GS	HE
"	"	"	"	"	"	"	"	CH
"	"	"	"	"	"	"	"	LE
"	"	"	"	"	"	"	"	HI
"	"	"	"	"	"	"	"	BK

See Front Side

Officer Involved Shooting
Involved Employee Information

URN: 011-03070-2614-011

Involved Employee

E 1

Employee # [redacted]	Last Name: Hess	First Name: Victor	M.I.: E.
Sex: M Race: W	Rank: Sergeant	Unit Assignment: Palmdale PAC Team	Work Assignment (Unit #, Module, etc.): 268S
ShiftTime (*circle only one*): EM PM **Day**	ShiftType (*circle only one*): **Regular** Overtime Off Duty	Intoxication/Drug Usage? ☐	Substance Used: -
Hospital Admission? ☐	Hospital Name: -	Coroner Case? ☐	Coroner Case #; Interviewed? ☒
Hrs of sleep prior to shooting: 8	Duty Time (hrs): [redacted]	Clothing (*circle only one*): Plain Clothes no Vest; Plain Clothes w/ Vest; Raid Jacket no Vest; Raid Jacket w/ Vest; Uniform no Vest; **Uniform w/ Vest**	Other Factors: Class B uniform
Age: 51 Height: 5'09 Weight: 165			
Range Qualification Date: [redacted]	PPC Qualification Date: [redacted]	Laser Training Date: [redacted]	
Certified with Weapon Used? [redacted]	Patrol Certification? [redacted]	Certification Unit: [redacted]	Prior Shootings? [redacted]; Number of Prior Shootings: [redacted]; Directed Force: [redacted]
Weapons Fired Brand: Beretta	Caliber: 9mm	# Shots: 3	Weapons Fired Brand: Caliber: # Shots:
Field Training Officer Emp # [redacted]	Last Name [redacted]	First Name [redacted]	M.I. [redacted]
Field Training Officer Emp #	Last Name	First Name	M.I.

E 2

Employee # [redacted]	Last Name: Roach	First Name: David	M.I.: J.
Sex: M Race: W	Rank: Deputy	Unit Assignment: Palmdale COPS Team	Work Assignment (Unit #, Module, etc.): 260N17
ShiftTime (*circle only one*): EM PM **Day**	ShiftType (*circle only one*): **Regular** Overtime Off Duty	Intoxication/Drug Usage? ☐	Substance Used: -
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case # -; Interviewed? ☒
Hrs of sleep prior to shooting: 8	Duty Time (hrs): [redacted]	Clothing (*circle only one*): Plain Clothes no Vest; Plain Clothes w/ Vest; Raid Jacket no Vest; Raid Jacket w/ Vest; Uniform no Vest; **Uniform w/ Vest**	Other Factors: Class B uniform
Age: 26 Height: 5'08 Weight: 195			
Range Qualification Date: [redacted]	PPC Qualification Date: [redacted]	Laser Training Date: [redacted]	
Certified with Weapon Used? [redacted]	Patrol Certification? [redacted]	Certification Unit: [redacted]	Prior Shootings? [redacted]; Number of Prior Shootings: [redacted]; Directed Force: [redacted]
Weapons Fired Brand: Beretta	Caliber: 9mm	# Shots: 3	Weapons Fired Brand: Caliber: # Shots:
Field Training Officer Emp # [redacted]	Last Name [redacted]	First Name [redacted]	M.I. [redacted]
Field Training Officer Emp # [redacted]	Last Name [redacted]	First Name [redacted]	M.I. [redacted]

E 3

Employee # [redacted]	Last Name: Manes	First Name: Rick	M.I.: D.
Sex: M Race: W	Rank: Deputy	Unit Assignment: Palmdale	Work Assignment (Unit #, Module, etc.): Detective Bureau
ShiftTime (*circle only one*): EM PM **Day**	ShiftType (*circle only one*): **Regular** Overtime Off Duty	Intoxication/Drug Usage? ☐	Substance Used: -
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case # -; Interviewed? ☒
Hrs of sleep prior to shooting: 8	Duty Time (hrs): [redacted]	Clothing (*circle only one*): Plain Clothes no Vest; **Plain Clothes w/ Vest**; Raid Jacket no Vest; Raid Jacket w/ Vest; Uniform no Vest; Uniform w/ Vest	Other Factors:
Age: 42 Height: 6'01 Weight: 230			
Range Qualification Date: [redacted]	PPC Qualification Date: [redacted]	Laser Training Date: [redacted]	
Certified with Weapon Used? [redacted]	Patrol Certification? [redacted]	Certification Unit: [redacted]	Prior Shootings? ☒; Number of Prior Shootings: 2; Directed Force: [redacted]
Weapons Fired Brand: Beretta	Caliber: 92FS	# Shots: 9	Weapons Fired Brand: Caliber: # Shots:
Field Training Officer Emp # [redacted]	Last Name [redacted]	First Name [redacted]	M.I. [redacted]
Field Training Officer Emp # [redacted]	Last Name [redacted]	First Name [redacted]	M.I. [redacted]

See Other Side

Officer Involved Shooting
Suspect Information

Suspect Information

S 1

Last Name [redacted]		First Name [redacted]	M.I. [redacted]
AKA Last Name		First Name	M.I.
Sex: M Race: 17	Street Address: [redacted]	City [redacted]	State & Zip Code: [redacted]
Work Phone: [redacted]	Home Phone: [redacted]	Social Security #: [redacted]	Driver's License #: [redacted]
Age: 17 D.O.B. [redacted]	Height: 6'03 Weight: 160	FBI # [redacted]	CII # [redacted]
Booking # -	Primary Charge: 278 P.C. / 422 P.C.	Secondary Charge: 187 P.C.	
Coroner Case? ☒	Coroner Case # 2011-01525	Intoxication/Drug Usage? ☒	Substance Used: Marijuana
Armed? ☒	Apprehended? ☒	Mental Illness? ☐	Criminal History? [redacted]
Vehicle Make Pontiac, 4dr, White (CA Lic# [redacted]		Model: Aztek	Year: 2001

S__

Last Name		First Name	M.I.
AKA Last Name		First Name	M.I.
Sex: Race:	Street Address:	City	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #	CII #
Booking #	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make		Model:	Year:

S__

Last Name		First Name	M.I.
AKA Last Name		First Name	M.I.
Sex: Race:	Street Address:	City	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #	CII #
Booking #	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make		Model:	Year:

S__

Last Name		First Name	M.I.
AKA Last Name		First Name	M.I.
Sex: Race:	Street Address:	City	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #	CII #
Booking #	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make		Model:	Year:

See Other Side

SUPPLEMENTAL EMPLOYEE WITNESSES
Los Angeles County Sheriff's Department

Employee Witnesses

Last Name	First Name	M.I.	Street Address	Zip Code	Work Ph	Home Ph
Murphy	Paul	G.	Employee #[redacted]			
[redacted]	[redacted]	[redacted]	Employee #[redacted]			
Astourian	Eric	J.	Employee #[redacted] (LASD Reserve)			
Arens	James	C.	Employee #[redacted]			
Jacob	Murray	K.	Employee #[redacted]			
Shackelford	Betsy	S.	Employee #[redacted]			
Roth	John	M.	Employee #[redacted]			
Stogden	Alfonso	J.	Employee #[redacted]			
Arcidiacano	Frank	J.	Employee #[redacted]			
Flores	Gregory	H.	Employee #[redacted]			
Hernandez	Roberto	M.	Employee #[redacted]			
Hulse	Britania	R.	Employee #[redacted]			
Shean	Scott	W.	Employee #[redacted]			
Hutchinson	Jeffrey	H.	Employee #[redacted]			
Short	Scott	-	Employee #[redacted]			
Martinovich	Mark	W.	Employee #[redacted]			

SUPPLEMENTAL EMPLOYEE WITNESSES
Los Angeles County Sheriff's Department

Employee Witnesses

Last Name	First Name	M.I.	Street Address	Zip Code	Work Ph	Home Ph
Wagner	Rodney	A.	Employee # [redacted]			
Reddy	Corey	M.	Employee # [redacted]			
Fletcher	David	A.	Employee # [redacted]			

County of Los Angeles
SHERIFF'S DEPARTMENT
HIT SHOOTING EVALUATION
(On Duty)
(Subject deceased)

UNIT: Palmdale Sheriff's Station
DATE: March 1, 2011, Tuesday
TIME: Approximately 1529 hours
LOCATION #1: 39000 Clock Tower Plaza "Metro-Link Station," Palmdale
LOCATION #2: [redacted] East Avenue P-14, Palmdale
URN#: 011-03070-2614-011
IAB#: SH2283791

NATURE OF INCIDENT:

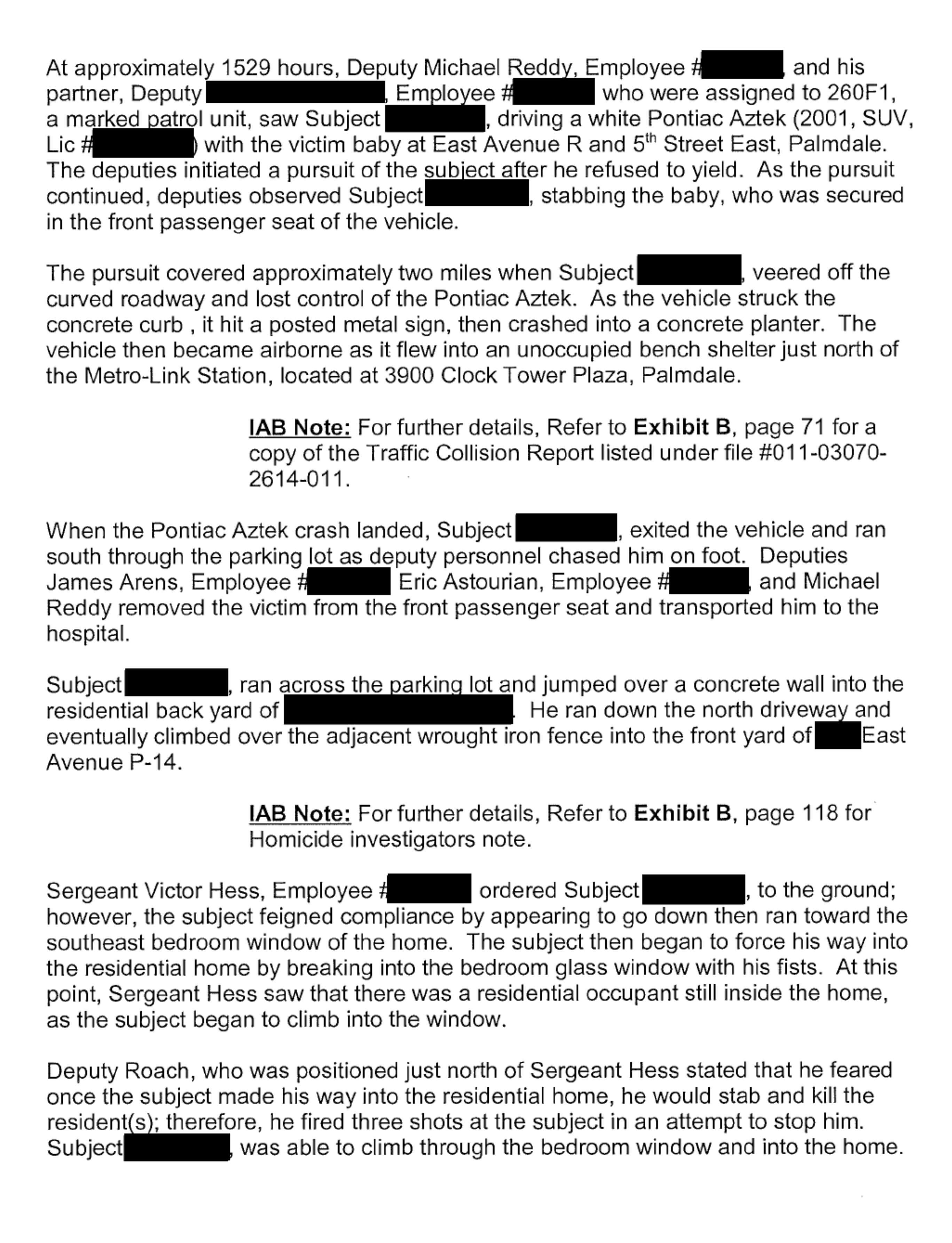
On March 1, 2011, at approximately 1529 hours, Palmdale Sheriff's Station Detective Rick Manes, Employee #[redacted], shot Subject [redacted] (MB/17), when [redacted], advanced toward him with a large knife.

At approximately 1130 hours, Palmdale Sheriff's deputies responded to a report of a child abduction in the city of Palmdale. According to the child's [redacted] (FB/18), the child's [redacted] Subject [redacted], (MB/17) had taken their baby, [redacted], (5 months old) from Subject [redacted], [redacted] home. [redacted] and the Department of Children and Family (DCFS) reported that the subject does not have custodial rights; however, he is allowed monitored visitation with his child (V[redacted]).

Subject [redacted], eventually sent a text message to the chid's [redacted] indicating that he was going to kill the baby by stabbing him. V[redacted] then called the Palmdale Sheriff's station and reported the abduction.

During the child abduction investigation, Subject [redacted], continued to send the baby's [redacted] text messages stating that he was going to kill their baby. An Amber Alert was issued as Palmdale Sheriff's Station units and members of Major Crimes Bureau searched the surrounding area for the subject and the victim baby.

> **IAB Note:** For further details, Refer to **Exhibit B**, page 1 through 89 for copies of the complaint report and supplementary reports related to the initial child abduction investigation listed under file #011-03070-2614-011.



At approximately 1529 hours, Deputy Michael Reddy, Employee #[redacted], and his partner, Deputy [redacted], Employee #[redacted] who were assigned to 260F1, a marked patrol unit, saw Subject [redacted], driving a white Pontiac Aztek (2001, SUV, Lic #[redacted]) with the victim baby at East Avenue R and 5th Street East, Palmdale. The deputies initiated a pursuit of the subject after he refused to yield. As the pursuit continued, deputies observed Subject [redacted], stabbing the baby, who was secured in the front passenger seat of the vehicle.

The pursuit covered approximately two miles when Subject [redacted], veered off the curved roadway and lost control of the Pontiac Aztek. As the vehicle struck the concrete curb , it hit a posted metal sign, then crashed into a concrete planter. The vehicle then became airborne as it flew into an unoccupied bench shelter just north of the Metro-Link Station, located at 3900 Clock Tower Plaza, Palmdale.

> <u>**IAB Note:**</u> For further details, Refer to **Exhibit B**, page 71 for a copy of the Traffic Collision Report listed under file #011-03070-2614-011.

When the Pontiac Aztek crash landed, Subject [redacted], exited the vehicle and ran south through the parking lot as deputy personnel chased him on foot. Deputies James Arens, Employee #[redacted] Eric Astourian, Employee #[redacted], and Michael Reddy removed the victim from the front passenger seat and transported him to the hospital.

Subject [redacted], ran across the parking lot and jumped over a concrete wall into the residential back yard of [redacted]. He ran down the north driveway and eventually climbed over the adjacent wrought iron fence into the front yard of [redacted] East Avenue P-14.

> <u>**IAB Note:**</u> For further details, Refer to **Exhibit B**, page 118 for Homicide investigators note.

Sergeant Victor Hess, Employee #[redacted] ordered Subject [redacted], to the ground; however, the subject feigned compliance by appearing to go down then ran toward the southeast bedroom window of the home. The subject then began to force his way into the residential home by breaking into the bedroom glass window with his fists. At this point, Sergeant Hess saw that there was a residential occupant still inside the home, as the subject began to climb into the window.

Deputy Roach, who was positioned just north of Sergeant Hess stated that he feared once the subject made his way into the residential home, he would stab and kill the resident(s); therefore, he fired three shots at the subject in an attempt to stop him. Subject [redacted], was able to climb through the bedroom window and into the home.

When Sergeant Hess approached the broken glass window, he saw that Subject [redacted], was approximately six to eight feet into the bedroom with his back toward him. Sergeant Hess ordered Subject [redacted], to stop; however, he refused by yelling, "I'm not fucking stopping." Knowing that Subject [redacted], had either killed and/or attempted to kill a baby, and that the subject was now inside the home, coupled with observing that a residential occupant was inside the house, Sergeant Hess determined that the subject was either going to kill and/or take the occupant(s) of the home hostage. Based on the information, Sergeant Hess believed he had to stop the subject; therefore, he fired three rounds at him. Sergeant Hess said that the subject flinched as he shot him and then disappeared from his view as he fled out of the bedroom into the interior of the home. Sergeant Hess positioned himself at another window and ordered the resident to climb out to safety.

At the same time, Detective Manes had taken a containment position at the rear of the residence by the kitchen window. He was told by Deputy [redacted], Employee #[redacted], who was behind the rear yard block wall that the subject was inside the home. Detective Manes subsequently broke out the glass kitchen window in order to push aside a dark cloth curtain obscuring his view of the interior of the location. Subject [redacted], who was already in the kitchen turned toward Detective Manes holding a large knife with what appeared to be blood on the tip. While facing Detective Manes, Subject [redacted], initially held the knife to his own throat, but when Detective Manes ordered him to drop the knife several times, the subject advanced toward him. Detective Manes stated that he feared for his safety and that of the resident inside the home; therefore, he shot the subject who fell to the floor. The subject then began to get off the floor by pushing up with both hands, while still clutching onto the knife with his right hand. Due to the subject still being armed, and fearing for the occupant inside the home, in addition to himself, Detective Manes stated that he shot the subject one more time in the head. He said he shot the subject approximately five to six times.

Subject [redacted], sustained eleven gunshot wounds to the cheek, chest, back, thigh, and pelvis areas. He was pronounced dead at the scene by Los Angeles County Fire Engine/Paramedics, commanded by Captain Pat Wilson at 1545 hours.

> **IAB Note:** For further details, Refer to **Exhibit B**, page 8 and 289, for a copy of the autopsy report regarding the examination and description of injuries of Subject [redacted], as a result of multiple gunshot wounds.

Victim [redacted] sustained ten stab wounds, and eighteen superficial puncture wounds to the skin of the upper torso. The baby was pronounced dead at the Palmdale Regional Hospital by Doctor Bennett at 1601 hours.

> **IAB Note:** For further details, Refer to **Exhibit B**, page 8 and 264, for a copy of the autopsy report regarding the examination and description of injuries of Victim [redacted] as a result of multiple stab wounds.

A large kitchen knife, approximately 12 inches long was recovered next to Subject [redacted]

Subject [redacted], was a known "Pasadena Denver Lane Blood" criminal street gang member.

Nine expended 9mm shell casings were recovered from the backyard, and kitchen floor areas. Three expended 9mm shell casings were recovered from the driveway of [redacted]. Three expended 9mm shell casings were recovered from the southeast bedroom window area and interior of the bedroom.

Three bullet holes were observed in the east facing exterior wall west of the front door, one bullet hole in the southeast bedroom door, and one bullet hole in the northeast bedroom door.

All department personnel's weapons and listed evidence were received by Homicide Investigators and transported to the Sheriff's Crime Lab and assigned laboratory receipt numbers: K291919 and K291918.

Members of the Internal Affairs Bureau, Risk Management Bureau, Office of Independent review, and the District Attorney's Office were briefed by Lieutenant John R. Corina, Employee #[redacted]

The Letter of Opinion from the Los Angeles County District Attorney's Office stated the following conclusion:

> "The evidence examined in this investigation shows that [redacted] committed a forcible and atrocious crime when he murdered his baby as witnessed by LASD deputies. When LASD deputies attempted to apprehend him, [redacted] drove erratically and crashed his car in a crowded pedestrian zone. As he was fleeing on foot, he broke into a home where the resident was present. He did not comply with deputy commands and told the deputies that he was not going to stop. The deputies, in fear for the lives of others and in an attempt to arrest a dangerous felon, responded with deadly force.
>
> We conclude that Deputy David Roach, Sergeant Victor Hess, and Detective Rick Manes acted lawfully in defense of others and in an attempt to arrest a dangerous felon when he used deadly force against [redacted] We are closing our file and will take no further action in this matter."

IAB Note: For further details, Refer to **Exhibit A** for a copy of the Los Angeles County District Attorney's Office Letter of Opinion regarding the shooting.

The following summary is based on written documentation, and interviews of involved victim(s), witnesses, and deputy personnel from both the Homicide investigation and Internal Affairs Shooting Review.

INVOLVED PERSONNEL:

Hess, Victor E., Sergeant, Employee #[redacted]
Palmdale Sheriff's Station
Field Operations Region I

EMPLOYEE WORK HISTORY:

Date of Employment: 03-11-1987
Date Assigned to Patrol: [redacted]
Completed Patrol Training: [redacted]
Prior Shooting Incident(s): [redacted]
Prior Founded Force Incidents: [redacted]

Roach, David J., Deputy, Employee #[redacted]
Palmdale Sheriff's Station
Field Operations Region I

EMPLOYEE WORK HISTORY:

Date of Employment: 01-25-2006
Date Assigned to Patrol: [redacted]
Completed Patrol Training: [redacted]
Prior Shooting Incident(s): [redacted]
Prior Founded Force Incidents: [redacted]

Manes, Rick D., Deputy, Employee #[redacted]
Palmdale Sheriff's Station
Field Operations Region I

EMPLOYEE WORK HISTORY:

Date of Employment: 01-22-1988
Date Assigned to Patrol: 03-02-1998 (Palmdale Station)
Completed Patrol Training: [redacted]
Prior Shooting Incident(s): 2 incidents:
Gun take away; struggle involved (2002)
Armed person (2005)
Prior Founded Force Incidents: [redacted]

INVOLVED SUSPECT:

[redacted], MB/17, DOB: [redacted] 6'01/175, Blk/Bro.
Address: [redacted]
CII# [redacted] MAIN# [redacted] FBI# [redacted] JAIN# [redacted] PDJ# [redacted]

Involved Subject History:
Subject [redacted] was a Pasadena Denver Lane Blood criminal street gang member. [redacted]

VICTIM(S):

Civilians:
1. [redacted], MB/5 months (deceased)
2. [redacted], FB/18 (mother of deceased)

CIVILIAN WITNESSES:

1. [redacted]
2.
3.

IAB Note: Refer to **Exhibit B**, page 61 for a supplementary report by Palmdale Detective James Moser.

4. [redacted]
5.

IAB Note: Refer to **Exhibit B**, page 64 for a supplementary report by Deputy Jason Schmoker.

6. [redacted] MW/13; DOB: [redacted]
7. [redacted] MB/53: DOB: [redacted]
8. [redacted], FB/58: DOB: [redacted]
9. [redacted] MH/23: DOB: [redacted]

IAB Note: Refer to **Exhibit B**, page 140 for a summary by Homicide investigators.

CIVILIAN WITNESS STATEMENTS:

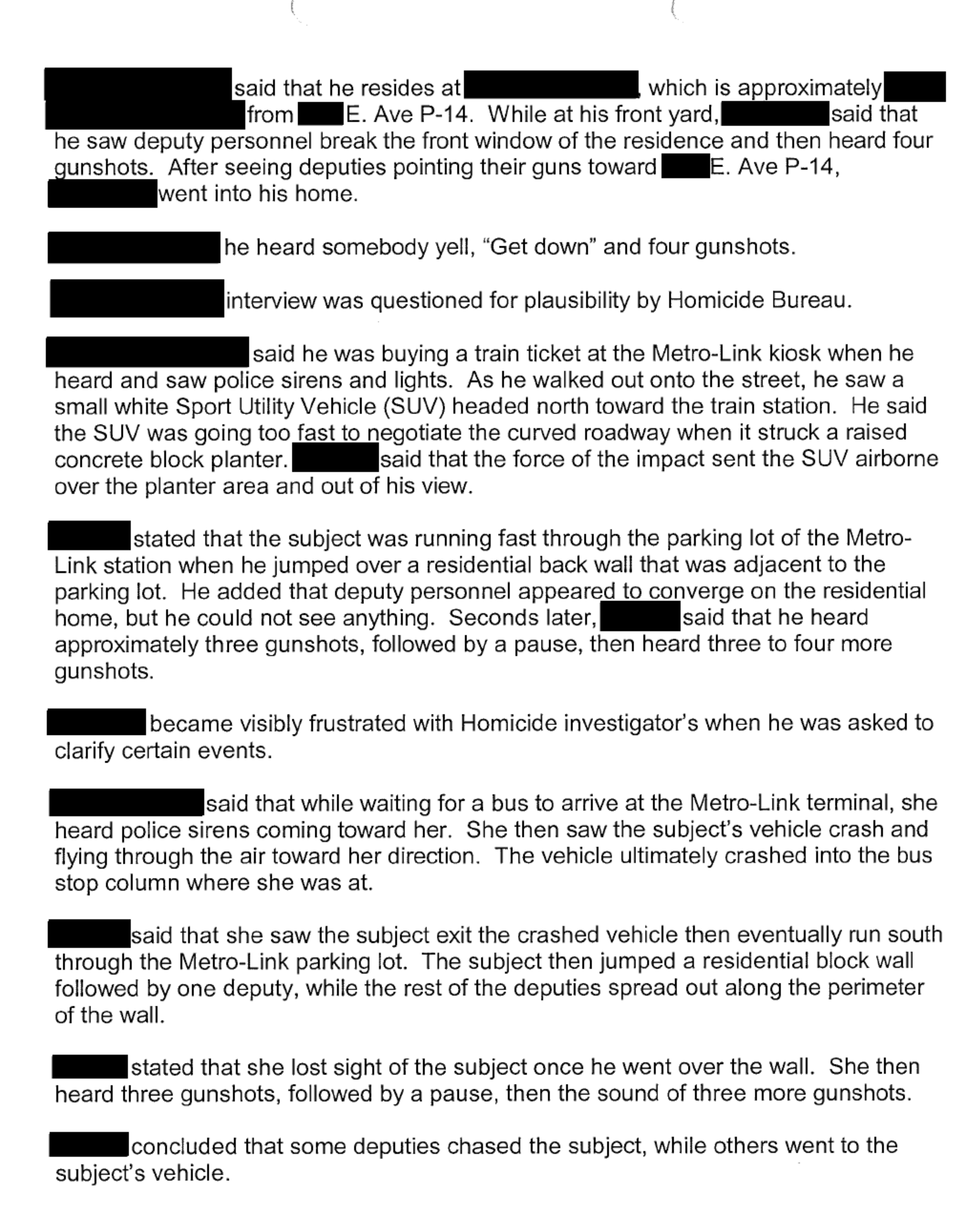
[redacted] said that he saw Subject [redacted], jump the back yard fence and run south through his back yard. [redacted] then saw deputy personnel also jump the back yard fence directly behind the subject. As the subject ran past [redacted], he [redacted] said that the subject appeared to be "high on drugs," angry and determined to get away.

[redacted] stated that as deputy personnel chased the subject toward the front yard of the residence [redacted]), the subject jumped over an adjacent fence into the front yard of [redacted] E. Ave P-14. While chasing the subject, [redacted] heard deputy personnel yelling, "Stop! Let me see your hands!"

[redacted] then saw the subject striking the southwest front facing window of [redacted] E. Ave P-14 with his elbow/forearm. He stated that he heard deputy personnel continue to yell at the subject to stop. As the glass shattered, [redacted] saw the subject begin to enter the window head first, simultaneously seeing an unknown deputy fire several rounds at the subject.

[redacted] said that he was with his roommate, [redacted] working in their backyard at [redacted], when he heard sirens at the rear of Metro-Link parking lot, which is [redacted] to their [redacted]. When he ran to the back yard fence, [redacted] saw the subject exit his vehicle (Pontica Aztek) and run through the Metro-Link parking lot. The subject then jumped into his back yard and was followed by deputy personnel. He stated that the subject looked "Scary" and angry. As the subject ran past him, [redacted] said deputy personnel chased him into the front yard at [redacted] E. Ave P-14. During the foot pursuit, [redacted] said deputy personnel yelled at the subject to "Stop! Let me see your hands!" [redacted] saw the subject violently striking the front facing window at the location with his arm, head and upper body. He said that deputy personnel continued to yell at the subject to "Stop! Don't go in there!" The glass eventually shattered and the subject began to enter the location head first. [redacted] said he simultaneously heard several gunshots from what sounded like a handgun.

[redacted] said that he was inside his home when he heard loud sirens at the rear of his residence. As he looked over his back yard fence, [redacted] said that he saw the subject running from deputy personnel. He heard deputies yelling, "Stop running! We're going to get you!" The subject eventually jumped into his [redacted] and ran toward the front of the residence. [redacted] said that he paralleled the subject and saw him jump into the front yard of [redacted] E. Ave P-14. He saw the subject aggressively striking the window of the residence with his forearm. [redacted] also heard deputy personnel yelling, "Let me see your hands! Give up!" When the window shattered, [redacted] said the subject dropped his hands toward his waistband. [redacted] then saw the subject double into the window after he heard gunshots.



[redacted] said that he resides at [redacted], which is approximately [redacted] from [redacted] E. Ave P-14. While at his front yard, [redacted] said that he saw deputy personnel break the front window of the residence and then heard four gunshots. After seeing deputies pointing their guns toward [redacted] E. Ave P-14, [redacted] went into his home.

[redacted] he heard somebody yell, "Get down" and four gunshots.

[redacted] interview was questioned for plausibility by Homicide Bureau.

[redacted] said he was buying a train ticket at the Metro-Link kiosk when he heard and saw police sirens and lights. As he walked out onto the street, he saw a small white Sport Utility Vehicle (SUV) headed north toward the train station. He said the SUV was going too fast to negotiate the curved roadway when it struck a raised concrete block planter. [redacted] said that the force of the impact sent the SUV airborne over the planter area and out of his view.

[redacted] stated that the subject was running fast through the parking lot of the Metro-Link station when he jumped over a residential back wall that was adjacent to the parking lot. He added that deputy personnel appeared to converge on the residential home, but he could not see anything. Seconds later, [redacted] said that he heard approximately three gunshots, followed by a pause, then heard three to four more gunshots.

[redacted] became visibly frustrated with Homicide investigator's when he was asked to clarify certain events.

[redacted] said that while waiting for a bus to arrive at the Metro-Link terminal, she heard police sirens coming toward her. She then saw the subject's vehicle crash and flying through the air toward her direction. The vehicle ultimately crashed into the bus stop column where she was at.

[redacted] said that she saw the subject exit the crashed vehicle then eventually run south through the Metro-Link parking lot. The subject then jumped a residential block wall followed by one deputy, while the rest of the deputies spread out along the perimeter of the wall.

[redacted] stated that she lost sight of the subject once he went over the wall. She then heard three gunshots, followed by a pause, then the sound of three more gunshots.

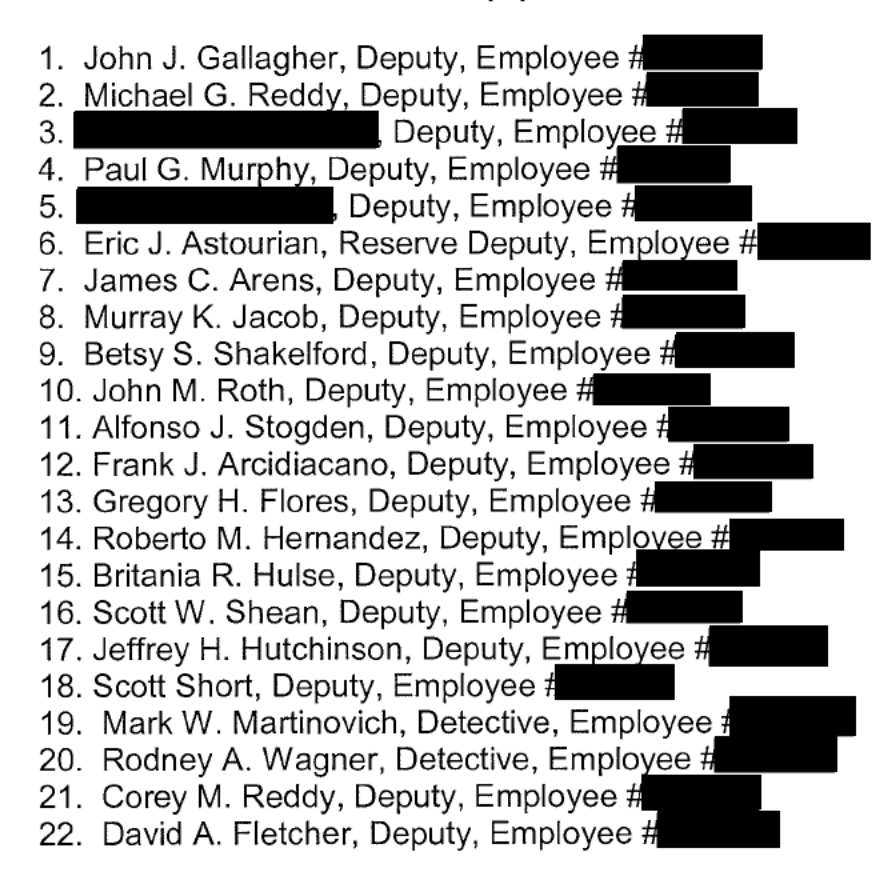
[redacted] concluded that some deputies chased the subject, while others went to the subject's vehicle.

CANVASSED AREA:

The surrounding neighborhood was canvassed by Palmdale Sheriff's Station deputy personnel.

> **IAB Note:** For details, **Refer to Exhibit B** for a supplementary report by patrol personnel on pages 65 - 89.

DEPARTMENT WITNESS(S):



1. John J. Gallagher, Deputy, Employee #[redacted]
2. Michael G. Reddy, Deputy, Employee #[redacted]
3. [redacted], Deputy, Employee #[redacted]
4. Paul G. Murphy, Deputy, Employee #[redacted]
5. [redacted], Deputy, Employee #[redacted]
6. Eric J. Astourian, Reserve Deputy, Employee #[redacted]
7. James C. Arens, Deputy, Employee #[redacted]
8. Murray K. Jacob, Deputy, Employee #[redacted]
9. Betsy S. Shakelford, Deputy, Employee #[redacted]
10. John M. Roth, Deputy, Employee #[redacted]
11. Alfonso J. Stogden, Deputy, Employee #[redacted]
12. Frank J. Arcidiacano, Deputy, Employee #[redacted]
13. Gregory H. Flores, Deputy, Employee #[redacted]
14. Roberto M. Hernandez, Deputy, Employee #[redacted]
15. Britania R. Hulse, Deputy, Employee #[redacted]
16. Scott W. Shean, Deputy, Employee #[redacted]
17. Jeffrey H. Hutchinson, Deputy, Employee #[redacted]
18. Scott Short, Deputy, Employee #[redacted]
19. Mark W. Martinovich, Detective, Employee #[redacted]
20. Rodney A. Wagner, Detective, Employee #[redacted]
21. Corey M. Reddy, Deputy, Employee #[redacted]
22. David A. Fletcher, Deputy, Employee #[redacted]

> **IAB Note:** Refer to **Exhibit B**, beginning on page 90 for a summary by Homicide investigators.

INVOLVED EMPLOYEE STATEMENTS:

Sergeant Victor Hess, Employee #[redacted], was interviewed by Internal Affairs Sergeants Frank Quichocho and Slade Carrizosa on November 7, 2011, 6, 2011, at approximately 1016 hours. Sergeant Hess voluntarily agreed to be interview without representation. The interview was digitally recorded and the following is a summary.

Sergeant Hess stated that he was a supervisor for the Partners Against Crime (PAC) Team in the City of Palmdale. Since his team's office is right next to Detective Bureau, he heard that they were working a baby kidnaping case involving Subject [redacted]. During the course of the kidnaping investigation, Sergeant Hess said that his team eventually became involved in assisting Detective Bureau with follow-up information. Sergeant Hess said that he later obtained some addresses from Highland High School in Palmdale where Subject [redacted], may be residing at.

While Sergeant Hess was patrolling in the area of Palmdale Boulevard and 6th Street East in search of the subject, he heard over the radio that an undercover unit had observed and located a white Pontiac Aztec being driven by the subject. Eventually, he heard marked patrol units were in vehicle pursuit of the subject as he began to make his way toward Palmdale Boulevard. He said that he was a minute behind the pursuit when he decided to block the intersection in the area of East Avenue Q in order to prevent a collision from any other patrol units engaging in the pursuit. When radio traffic stated that the pursuit continued into the Metro-Link train station, Sergeant Hess drove toward the bus depot and subsequently heard that the subject had crashed his vehicle. When Sergeant Hess arrived at the train station parking lot, he saw several deputies in foot pursuit of the subject, who was headed toward a residential area just west of and adjacent to the parking lot.

Sergeant Hess said that he drove out of the parking lot and made his way onto East Avenue P-14 in an attempt to head off the subject who had just hopped over a residential block wall. He parked his marked patrol vehicle in front of [redacted] anticipating that the subject would eventually come out of the housing area. Sergeant Hess stated that he quickly exited and drew his gun as he saw Subject [redacted], running toward him along the north driveway of the location.

Sergeant Hess said that he ordered Subject [redacted], to stop from a distance of about twenty to twenty-five feet when the subject slowed down and climbed over the wrought-iron fence onto the front yard of [redacted] East Avenue P-14, which is the house north of and adjacent to [redacted].

As Subject [redacted], made his way over the fence, Sergeant Hess ordered him to the ground. At this point, Sergeant Hess said that he and the subject were separated by the wrought-iron fence. He stated that his distance from the subject was about fifteen feet. The subject for a moment appeared to comply when he began to lean and kneel toward the ground; however, the subject suddenly got back up and ran toward a bedroom window at the south side of the residence. The bedroom window was about

eight feet from the subject when he initially appeared to comply. At the bedroom window, Subject [redacted], began to pound at it with his fist, eventually shattering the glass by putting his fist through it. Through his peripheral vision, Sergeant Hess said that he could see that there was someone present inside the home from one of the other front windows.

As Subject [redacted], was breaking the bedroom glass window, Sergeant Hess said that he ran into the front yard of the home through the open front gate. At this point, Sergeant Hess explained that he had just seen someone inside the home, and now the subject had just broken into the house. He added that he did not know if the subject was still armed with a knife; however, knowing that the subject had either just killed his baby or had attempted to made him believe that the subject was capable of killing someone else. Due to the information, Sergeant Hess said that he had to stop the subject from harming the occupant of the home. By the time he reached the window, Sergeant Hess said that the subject had already climbed through and was inside the bedroom.

As Sergeant Hess looked into the window, the subject was already six to eight feet away from him headed toward the bedroom door with his back toward him. Sergeant Hess then leaned into the window and pointed his gun at the subject and ordered him to stop. Subject [redacted], turned over toward his right shoulder and looked at Sergeant Hess and said, "I ain't fucking stopping." According to Sergeant Hess, the subject's face looked strange as if he had no fear, and was not afraid that a gun was being pointed at him. He also noticed that the subject's hands were both concealed at his waistband area.

As Subject [redacted], began to exit the bedroom door, Sergeant Hess tried to stop him by firing three rounds at the subject. Sergeant Hess said the subject flinched then disappeared around the corner of the bedroom and out of sight.

Sergeant Hess stated that when he initially confronted the subject running toward him on the driveway, the subject was about twenty to twenty-five feet from him. When the subject jumped over the wrought-iron fence and began to comply with his commands, the subject was about fifteen feet from him with his left side facing him. When the subject ran toward the window, his back was facing him.

Sergeant Hess said that he was not aware that other deputy personnel had previously fired shots at the subject prior to him shooting at Subject [redacted].

During the incident, Sergeant Hess heard radio traffic concerning the rear containment of the location and believed he was the only one covering the front at the time.

After the subject fled into the interior of the home, Sergeant Hess believed that Subject [redacted], was either going to kill whoever was inside the home or take them hostage. He then noticed that Deputy David Roach, Employee #[redacted] was with him at the front yard and formed a plan to make entry into the home in order to get to the subject

before he got to the occupant of the home. Attempts to enter the front door were futile as it was secured by an exterior security door. Sergeant Hess then told Deputy Roach to breach the window closest to the front door on the south side.

As Sergeant Hess and Deputy Roach were about to make entry through the front window, he heard the occupant of the home [redacted] yelling that he was home alone.

Deputy Scott W. Shean, Deputy, Employee #[redacted], who was positioned at the north side of the front yard assisted [redacted] out of his home through a small window located at the northwest side of the house.

As [redacted] was being pulled out to safety, Sergeant Hess said that he heard multiple gunshots from the rear of the location. He immediately heard a broadcast of deputies involved in a shooting, followed by the subject was down.

Sergeant Hess said that he did not broadcast that he was involved in a shooting because the incident happened so rapidly in that he was also trying to make entry into the home and his first priority was to save the resident's life versus putting out radio traffic.

Sergeant Hess stated that he injured his right hand when he placed it through the broken glass window where the subject had entered the home. He described the injury as a minor cut to the right hand.

Sergeant Hess explained that there was a lot of radio traffic, which appeared chaotic at times due to the foot pursuit, the containment of the location, deputy personnel trying to rush the baby to the hospital, and shots being fired. He added that there were multiple units attempting to put information out and units were stepping on each other's radio transmission.

Sergeant Hess stated that when he shot the subject, he was not obstructed by anything and had a clear view of him.

Sergeant Hess said he had sight alignment, point of aim, and target acquisition.

Sergeant Hess said he had cover prior to the shooting when he was positioned behind the brick pillars at the driveway and cover during the shooting at either side of the bedroom window.

Sergeant Hess said he had command and control of the front portion of the location. After he shot the subject, who eventually fled into the interior of the home, he had determined to make entry into the home with other deputy personnel in an attempt to rescue the occupant of the home.

After hearing over the radio that the subject was down, Sergeant Hess said he went to the rear of the location and cleared the house with assisting deputy personnel. A request for paramedics was initiated at that time.

Sergeant Hess explained that the incident evolved so rapidly, whereby he was so focused on the subject that he did not realize that there were other deputy personnel around him at the time of his contact with the subject.

Sergeant Hess added that all department personnel involved in the shooting were separated and transported to the station pending interviews by Homicide Bureau.

> **IAB Note:** For further details, refer to an enclosed verbatim transcript copy of Sergeant Hess's interview.
>
> Refer to **Exhibit B**, page 97 for a summary of Homicide Bureau's interview of Sergeant Hess.

Deputy David Roach, Employee #[redacted] was interviewed by Internal Affairs Sergeants Frank Quichocho and Teri Roberts on October 27, 2011, at approximately 1210 hours. Deputy Roach was represented by ALADS Labor Representative, Attorney Helen Schwab from the Offices of Green & Shinee. The interview was digitally recorded and a copy of the transcribed interview is provided. The following is a summary of the interview.

Deputy Roach said that he was assigned to the Palmdale COPS/HIT Team as 260N17 in a marked patrol unit at the time of the incident. He was the bookman/passenger, and his partner, Deputy Alfonso Stogden, Employee #[redacted] was the driver.

Deputy Roach stated that while on a traffic stop, he heard a crime broadcast over the radio regarding a kidnaping, which gave the description of the subject. At about 1530 hours, a broadcast came over the radio stating that a Sheriff's unit had located the kidnaping subject vehicle and were following it (Code 9). By the time they reached Palmdale Blvd/5th Street East, Deputy Roach said that the subject vehicle had passed their patrol car headed northbound on Palmdale Blvd.

Deputy Roach said that he joined in the Code 9 of the subject vehicle and was the fourth or fifth patrol unit behind the subject vehicle. He explained that the Code 9 went quickly into a vehicle pursuit. He added that he did not identify his unit as being involved in the vehicle pursuit because there was so much radio traffic, which made it very hard to get on the air, coupled with the event being such a high risk situation in that he did not want to step over any other radio traffic. Deputy Roach stated that he had their radio car lights and sirens on during the pursuit.

During the vehicle pursuit, Deputy Roach clearly recalled that he heard a broadcast from pursuing units that the subject was stabbing the baby, then soon after the vehicle crashed.

Deputy Roach said that the pursuit was about three quarters of a mile from Palmdale Blvd/5th Street East to the crash site at 39000 Clock Tower Plaza (Metro-Link Station and lasted about a minute. He stated that he did not see the subject vehicle crash because they were too far behind it. When Deputy Roach heard that the subject was on foot and running through the parking lot, they veered off the road and tried to head him off in the parking lot.

Deputy Roach said that he eventually became involved in a foot pursuit of the subject, while Deputy Stogden drove to the front of [redacted] E. Ave P-14. During the foot pursuit, Deputy Roach said that he threw his flashlight at the subject in an attempt to slow and/or stop him. He stated that the foot pursuit continued west from the crash site into the residential area adjacent to the Metro-Link station parking lot. He then saw the subject jump over a brick wall and he followed seconds later. During the foot pursuit, Deputy Roach said it appeared that the subject was holding a knife.

Because so much activity was taking place, Deputy Roach stated that he did not broadcast his foot pursuit because other deputy personnel, who were also in involved in the foot pursuit were already putting it out. He added that he could not recall deputy personnel who were behind him during the foot pursuit.

Once he jumped over the brick wall, Deputy Roach said he was now in the back yard of [redacted]. He saw a couple of Hispanic individuals in the back yard, who eventually ran into their homes. Deputy Roach continued to pursue the subject when the subject eventually jumped a fence into the front yard of [redacted] E. Avenue P-14, which is the residential home [redacted] to [redacted]. Deputy Roach added that he had visual observation of the subject the entire time he was in foot pursuit until the subject jumped the fence. He then slowed down and took a position at the concrete brick wall post at the front southwest corner of [redacted] E. Avenue P-14. He then saw the subject breaking into the southwest bedroom window of the home.

Deputy Roach stated that he ordered the subject to stop and turn around several times. The subject glanced back one time, then no longer complied with his orders, as he continued to break the glass window with his hand. Deputy Roach said that he was not sure if the subject was armed at this point; however, he saw something shiny in the subject's hand, which could have been a piece of falling glass. At this point, Deputy Roach jumped over the wrought-iron fence and landed in the front yard of the residence.

Deputy Roach stated that based on the subject's assaultive behavior, non-compliance to his orders, and the fact that he saw a male individual running into the home from the back yard, including movement of an individual inside the home while the subject was breaking into the window, coupled with his fear that if the subject broke into the home he would hurt, kill or take the occupant(s) hostage, he fired three rounds at the subject, who was standing just outside of the window. The subject eventually made it through the window and into the home. Deputy Roach said that he did not believe he hit the subject because he did not flinch or slow down when he broke into the home.

Deputy Roach explained that he was about fifteen feet to the rear of the subject when he shot at him.
After his shooting, Deputy Roach recalled Sergeant Hess coming up to the window and fire three to five rounds at the subject. The subject eventually disappeared from his view as the subject ran into the interior of the home.

Deputy Roach recalled the occupant of the home being pulled out of a window, while he broke out a separate window in an attempt to get a better view of the interior of the residence. He then heard several gunshots from the rear of the residence.

Deputy Roach added that during the vehicle pursuit, the foot pursuit and the confrontation at the front yard of the residence, he determined that the subject was more than just a kidnaping subject as he heard over the radio that the subject was stabbing the baby, and crashed his car. He believed that the subject had no concern for human life as he obviously hurt his own baby.

Deputy Roach said that his shooting backdrop was the window frame and stucco exterior of the home. He had point of aim as he focused on the subject's upper torso when he shot him.

The lighting conditions were bright and clear.

> **IAB Note:** For further details, refer to an enclosed verbatim transcript copy of Deputy Roach's interview.
>
> Refer to **Exhibit B**, pages 99 and 164 for a summary of Homicide Bureau's interview of Deputy Roach and Stogden respectively.

Detective Rick D. Manes, Employee #[redacted] was interviewed by Internal Affairs Sergeants Frank Quichocho and Teri Ruiz on October 27, 2011, at approximately 1048 hours. Detective Manes was represented by ALADS Labor Representative, Attorney Helen Schwab from the Offices of Green & Shinee. The interview was digitally recorded and a copy of the transcribed interview is provided. The following is a summary of the interview.

Detective Manes stated that he was assigned to Palmdale Detective Bureau as a Robbery Detective at the date and time of the incident. He said he received information from other detectives regarding a kidnaping subject and began to assist them in an attempt to locate the suspect.

While at Palmdale Sheriff's Station, Detective Manes stated that Deputy John J. Gallagher, Employee #[redacted] who was in an undercover surveillance unit had located the subject vehicle (Pontiac Aztek) and was following it in the area of East Avenue R-8 and 5th Street East. Seconds later, Detective Manes heard over the radio that Deputies Michael G. Reddy, Employee #[redacted], and his partner, [redacted], Employee #[redacted], were in vehicle pursuit of the suspect.

Detective Manes said that he was joined by Detectives James C. Moser, Employee #[redacted] and Jeffrey H. Hutchinson, Employee #[redacted] as they left the station toward the area of the vehicle pursuit. Further radio traffic indicated that the subject was stabbing the baby during the pursuit, the subject vehicle crashing at the Metro-Link station and that the subject was running southbound in the parking lot.

Detective Manes said he told Hutchinson to drive toward East Avenue P-14 and as they arrived, he saw several radio cars parked on the street.

When Detective Manes ran up to the residence of [redacted] East Avenue P-14, he saw deputy personnel attempting to remove a male resident through a small window. He said Moser took a position on the east side of the house, while he ran to the north side and then into the rear of the residence.

At the rear of the residence, Detective Manes saw Deputies Britania R. Hulse, Employee #[redacted], and Diana C. Valadez, Employee #[redacted], taking a position of containment behind the house. Behind the backyard block wall was Deputy [redacted], Employee #[redacted] who told Detective Manes that the subject was inside the house.

Detective Manes said in order for him to get a better view of the interior of the home, he kicked out one of the glass windows (rear kitchen). As he removed the drapes and/or blinds that covered the entire length of the window, he immediately saw that the subject was about twelve feet away from him. The subject was standing in front of a refrigerator at a northwest angle facing him.

Detective Manes said the first thing he noticed was that the subject was holding a large knife with what appeared to be blood around the tip. He said he automatically thought that the knife was what the subject used to injure the baby. Detective Manes then ordered the subject to drop the knife several times, at which time, the subject held the knife up to his throat, upside down at an angle and begin walking toward him. As the subject walked toward Detective Manes, he said the subject appeared to be very rigid and emotionless. He added that the suspect's eyes were wide open and the suspect's legs were stiff. As the subject took three or four steps toward him, Detective Manes screamed a couple more times for him to drop the knife.

When the subject rotated the knife and turned it toward Detective Manes, he feared for his life in that the subject was going to run toward him, in addition to fearing for the resident of the home and deputy personnel who were attempting to rescue the resident; therefore, he immediately fired several shots at the suspect. He believed he fired five to seven rounds. As the subjectfell down onto his back, he turned around and with clenched hands began to use his fists to push himself up in an effort to stand up. Because the subject still had the large knife clenched in his right hand, Detective Manes feared that he was going to get up and harm either him, the occupant of the home or deputy personnel in front of the house; therefore, he shot the subject one more time striking him in the head.

Detective Manes said that the subject than fell onto his back and did not move. He recalled deputy personnel making entry into the home in order to secure the subject and clear the location pending the arrival of paramedics. He added that he did not know the deputies that cleared the residence.

Detective Manes said that his backdrop was the refrigerator.

Detective Manes stated that he was not aware of prior shots fired by deputy personnel at the suspect when he approached the residence. He said that radio traffic was extremely chaotic the entire time he was responding to the incident. He added that radio traffic was being stepped on during the entire event.

Upon review of the voice recording some time after the incident, Detective Manes stated the following on Page 8, Line 7 of his verbatim transcript:

> **As far as finding out that there was another, that there had been a 998 before I got there, we did not know. I did not know. We had the radio on on the way there, but it was, it was extremely chaotic. Everybody was stepping all over each other and I played it back to the (inaudible), I could barely hear the 998. It was, it was stepped on. Looking back on it, I kind of get the chills that I ran to the back of the house, knowing that there was a 998 in the front of the house. So I --**
>
> **Schwab:** **But you didn't know that at the time.**
>
> **Manes:** **But I didn't know it at the time. And that's all I can think of right now.**

Detective Manes stated that the subject had closed the distance from twelve feet to about eight feet when he shot him.

Detective Manes said that he did not have any less lethal options on his person at the time of the shooting. He stated that all he could grab was his side holster, department-issued weapon (9mm, Beretta 92FS), and white pullover vest.

Detective Manes said the subject did not make any remarks, noises or cries of pain during their confrontation.

Detective Manes said his point of aim was center mass of the subject when he shot him.

Detective Manes explained that the suspect's behavior was bizarre indicating that he was emotionless, appeared to be under the influence, and rigid. He added that the suspect's actions were life threatening.

During the initial kidnaping investigation, Detective Manes stated that he had information that the subject was associated with a criminal street gang.

Detective Manes said that he injured his leg, which were cuts to his right ankle when he kicked the kitchen glass window.

> **IAB Note:** For further details, refer to an enclosed verbatim transcript copy of Deputy Mane's interview.
>
> Refer to **Exhibit B**, page 101 for a summary of Homicide Bureau's interview of Detective Manes.

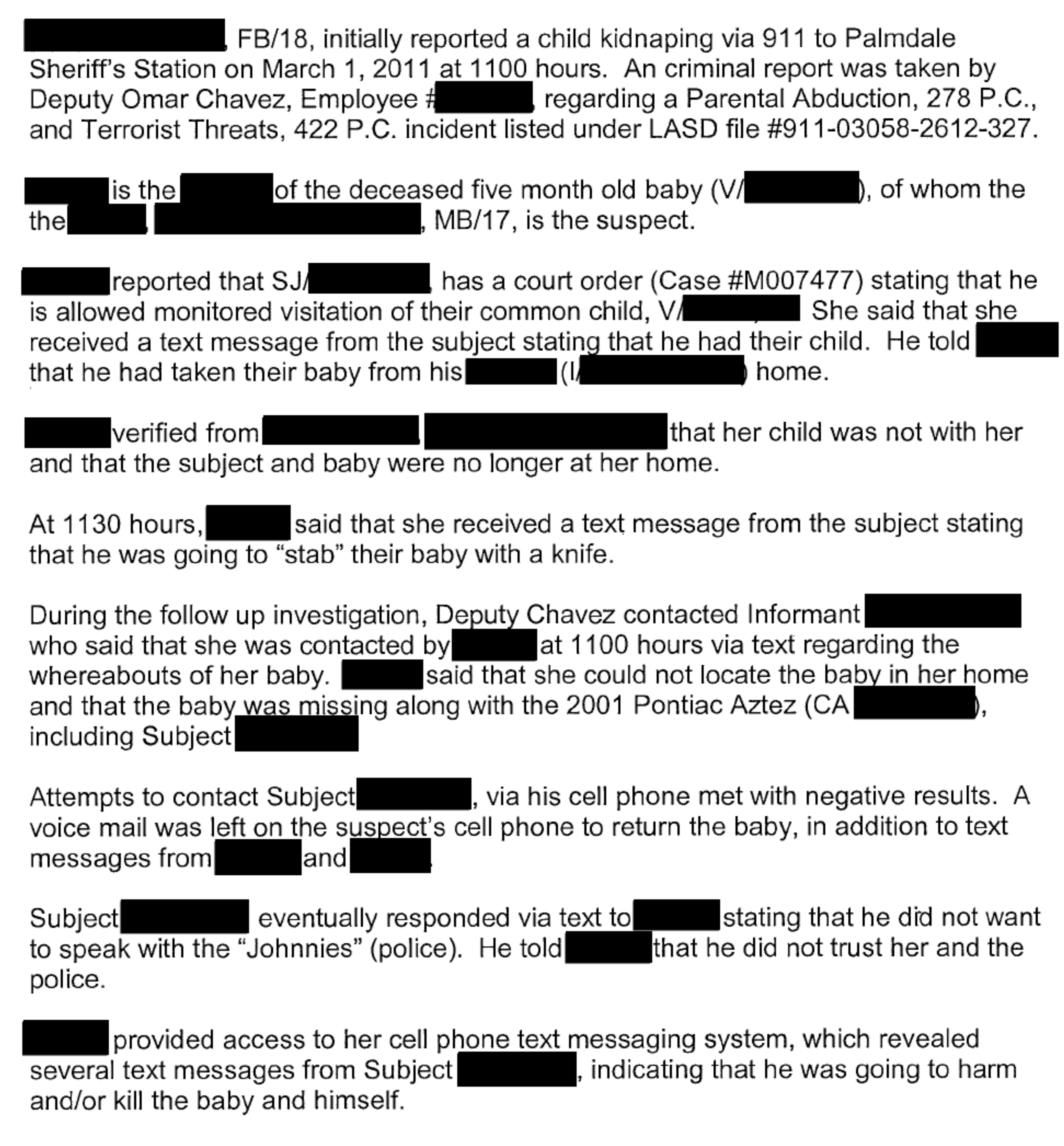
Investigator Notes:

Deputies Murray Jacob (driver) and Betsy Shackelford (passenger), who were partners assigned to Palmdale unit 263/P stated in their respective reports that the subject ran into the passenger side door of their patrol car as they were attempting to cut him off. Deputy Shackelford stated that as she opened her door it caused the subject to stumble backward; however, he kept his footing and continued to run in a southwesterly direction in the Metro-Link parking lot.

> **IAB Note:** For further details, refer to **Exhibit B**, pages 3 and 170 regarding Deputy Jacob's and Shackelford's respective reports.

The following personnel were interviewed by Homicide investigators and summaries of their interview are on the following pages of **Exhibit B**:

1. John J. Gallagher, Deputy, Employee #[redacted]; Page 43 and 135.
2. Michael G. Reddy, Deputy, Employee #[redacted]; Page 106
3. [redacted] Deputy, Employee #[redacted]; Page 171
4. Paul G. Murphy, Deputy, Employee #[redacted] Page 104
5. [redacted], Deputy, Employee #[redacted] Page 103
6. Eric J. Astourian, Reserve Deputy, Employee #[redacted]; Page 56
7. James C. Arens, Deputy, Employee #[redacted]; Page 54
8. Murray K. Jacob, Deputy, Employee #[redacted] Page 107
9. Betsy S. Shakelford, Deputy, Employee #[redacted]; Page 169
10. John M. Roth, Deputy, Employee #[redacted]; Page 168
11. Alfonso J. Stogden, Deputy, Employee #[redacted]; Page 164
12. Frank J. Arcidiacano, Deputy, Employee #[redacted]; Page 132
13. Gregory H. Flores, Deputy, Employee #[redacted] Page 160
14. Roberto M. Hernandez, Deputy, Employee #[redacted]; Page 162
15. Britania R. Hulse, Deputy, Employee #[redacted]; Page 157
16. Scott W. Shean, Deputy, Employee #[redacted]; Page 166
17. Jeffrey H. Hutchinson, Deputy, Employee #[redacted]; Page 127
18. Scott Short, Deputy, Employee #[redacted]; Page 129
19. Mark W. Martinovich, Detective, Employee #[redacted]; Page 94
20. Rodney A. Wagner, Detective, Employee #[redacted]; Page 95
21. Corey M. Reddy, Deputy, Employee #[redacted]; Page 51
22. David A. Fletcher, Deputy, Employee #[redacted]; Page 47



VICTIM STATEMENT

[redacted], FB/18, initially reported a child kidnaping via 911 to Palmdale Sheriff's Station on March 1, 2011 at 1100 hours. An criminal report was taken by Deputy Omar Chavez, Employee #[redacted], regarding a Parental Abduction, 278 P.C., and Terrorist Threats, 422 P.C. incident listed under LASD file #911-03058-2612-327.

[redacted] is the [redacted] of the deceased five month old baby (V/[redacted]), of whom the the [redacted], [redacted], MB/17, is the suspect.

[redacted] reported that SJ/[redacted], has a court order (Case #M007477) stating that he is allowed monitored visitation of their common child, V/[redacted]. She said that she received a text message from the subject stating that he had their child. He told [redacted] that he had taken their baby from his [redacted] (I/[redacted]) home.

[redacted] verified from [redacted] [redacted] that her child was not with her and that the subject and baby were no longer at her home.

At 1130 hours, [redacted] said that she received a text message from the subject stating that he was going to "stab" their baby with a knife.

During the follow up investigation, Deputy Chavez contacted Informant [redacted] who said that she was contacted by [redacted] at 1100 hours via text regarding the whereabouts of her baby. [redacted] said that she could not locate the baby in her home and that the baby was missing along with the 2001 Pontiac Aztez (CA [redacted]), including Subject [redacted]

Attempts to contact Subject [redacted], via his cell phone met with negative results. A voice mail was left on the suspect's cell phone to return the baby, in addition to text messages from [redacted] and [redacted].

Subject [redacted] eventually responded via text to [redacted] stating that he did not want to speak with the "Johnnies" (police). He told [redacted] that he did not trust her and the police.

[redacted] provided access to her cell phone text messaging system, which revealed several text messages from Subject [redacted], indicating that he was going to harm and/or kill the baby and himself.

Based on the information, an immediate child abduction investigation was conducted by Palmdale Sheriff's detectives, which subsequently led to an Amber Alert notification. Major Crimes Bureau was notified and assisted with the investigation.

> **IAB Note:** For further details, Refer to **Exhibit B**, page 9 for the complaint report and supplementary reports related to the criminal investigation listed under file #911-0358-2612-327.

SUSPECT'S INJURIES:

Subject [redacted], was pronounced dead at the scene by Los Angeles County Fire Engine/Paramedics, commanded by Captain Pat Wilson at 1545 hours. The subject sustained eleven gunshot wounds to the cheek, chest, back, thigh, and pelvis areas.

> **IAB Note:** For further details, Refer to **Exhibit B**, page 8 and 292, for a copy of the autopsy report regarding the examination and description of injuries of Subject [redacted], as a result of multiple gunshot wounds.

VICTIM'S INJURIES:

Victim [redacted] sustained ten stab wounds, and eighteen superficial puncture wounds to the skin of the upper torso. The baby was pronounced dead at the Palmdale Regional Hospital by Doctor Bennett at 1601 hours.

> **IAB Note:** For further details, Refer to **Exhibit B**, page 8 and 264, for a copy of the autopsy report regarding the examination and description of injuries of Victim [redacted] as a result of multiple stab wounds.

DEPUTY PERSONNEL INJURIES:

Sergeant Hess injured his right hand with minor cuts from the broken glass window.

Detective Manes injured his leg with cuts to his right ankle when he kicked the kitchen glass window.

PHYSICAL EVIDENCE:

Collected by Scientific Services Bureau, Crime Scene Investigators:

The evidence list, latent inventory, technical investigation, forensic analysis, crime scene investigation, investigator observations, and field investigations at both locations are listed in **Exhibit B**, from pages 227 to 246.

> **IAB Note:** Refer to **Exhibit B**, page 227 to 246 for further details.

WEAPONS USED BY DEPUTY PERSONNEL:

SERGEANT VICTOR HESS:
Service Weapon: Beretta, Model 92F, semiautomatic pistol bearing serial number BER[redacted]Z.
Type of Ammunition: 9mm
Ammunition: One empty magazine, two magazines each containing fifteen (15) 9mm Luger caliber cartridges, and thirteen (13) loose 9mm Luger caliber cartridges.
Shell Casings: Collected by Sheriff's Forensics Specialist Daniel Rosell.
Date Employee Last Qualified: (Mobile Range): [redacted]
Date Last Trained With Weapon:
Laser Village:
Receipt #K291918: Los Angeles County Sheriff's Department- Scientific Services Bureau, Firearms Identification Section. **(Refer to Exhibit B, Page 243 - 246)**.

DEPUTY DAVID ROACH :
Service Weapon: Beretta, Model 92FS semiautomatic pistol bearing serial number BER[redacted].
Type of Ammunition: 9mm
Ammunition: One empty magazine, two magazines each containing fifteen (15) 9mm Luger caliber cartridges, and one magazine containing fourteen (14) 9mm Luger caliber cartridges, and thirteen (13) loose 9mm Luger caliber cartridges.
Shell Casings: Collected by Sheriff's Forensics Specialist Daniel Rosell.
Date Employee Last Qualified: (Mobile Range): [redacted]
Date Last Trained With Weapon:
Laser Village:
Receipt #K291918: Los Angeles County Sheriff's Department- Scientific Services Bureau, Firearms Identification Section. **(Refer to Exhibit B, Page 243 - 246)**.

DETECTIVE RICK MANES:
Service Weapon: Beretta, Model 92FS semiautomatic pistol bearing serial number BER[redacted]Z.
Type of Ammunition: 9mm
Ammunition: One empty magazine, and seven (7) loose 9mm Luger caliber cartridges.
Shell Casings: Collected by Sheriff's Forensics Specialist Daniel Rosell.
Date Employee Last Qualified: (Mobile Range): [redacted]
Date Last Trained With Weapon:
Laser Village:
Receipt #K291918: Los Angeles County Sheriff's Department- Scientific Services Bureau, Firearms Identification Section. **(Refer to Exhibit B, Page 243 -246)**.

WEAPONS USED BY SUBJECTS:

Fixed blade knife with white handle recovered from the kitchen floor of [redacted] E. Avenue P-14, Plamdale.

Black handle knife taken from the parking lot next to the subject's vehicle at the Metro-Link station at 39000 Clock Tower Plaza, Palmdale.

PROPERTY DAMAGE:

Damage to the landscape at the Metro-Link station located at 39000 Clock Tower Plaza, Palmdale, as a result of the suspect vehicle collision.

Damage to the southeast bedroom window, the front living room window, the rear kitchen window, and exterior/interior stucco areas of the home where the bullets struck the wall.

Vehicular damage to the 2001, white Pontiac Aztek, CA [redacted]

IAB Note: Refer to **Exhibit B**, pages 227 - 247 for further details.

CRIMINAL INVESTIGATOR and CHARGES FILED:

Investigator:	LASD Homicide Investigators Detectives Q. Rodriguez and Teri Bernstein
Court:	N/A
Charges Filed:	N/A
Case Status:	N/A

WEATHER CONDITIONS AND LIGHTING CONDITIONS:

The incident occurred during the hours of daylight and the weather was clear.